

REMARKS

The Office Action requires an election under 35 U.S.C. § 121 from among the following:

I. Claims 1-18, drawn to a method for treating ocular neovascularization comprising delivering to cells in the eye of a subject a vector comprising a polynucleotide sequence encoding an angiostatic gene product under the control of a promoter, classified in class 514, subclass 44;

II. Claims 19-27, drawn to a vector comprising a hypoxically regulated promoter in operable linkage with a polynucleotide sequence encoding an angiostatic gene product, classified in class 435, subclass 320.1;

III. Claims 28-46, drawn to an autoregulatory cassette comprising a polynucleotide comprising at least three, at least four or at least six hypoxia response elements (HRE) operably linked to a promoter, a nucleic acid sequence encoding HIF-1, EPAS or both, and one or more nucleic acid sequence of interest, classified in class 435, subclass 320.1.

Applicants elect group I, claims 1-18, for further prosecution in this application. An early action on the merits is solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: Anne-Marie C. Yvon
Thomas J. Kowalski
Reg. No. 32,147

Anne-Marie C. Yvon, Ph.D.
Reg. No. 52,390
Tel (212) 588-0800